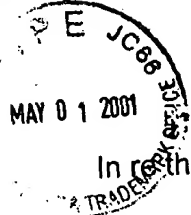


DEP/REF/30
28



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

IMMER et al.

Group Art Unit: 1644

Serial Number: 09/027,777

Examiner: F. Pierre Vander Vegt

Filed: February 23, 1998

Atty. Docket No. P108099-00001

For: PROCESS FOR PREPARING CARDIODILATIN FRAGMENTS; HIGHLY PURIFIED CARDIODILATIN FRAGMENTS AND INTERMEDIATE PRODUCTS FOR THE PREPARATION OF SAME

REQUEST FOR REFUND

Honorable Commissioner
Washington, D.C. 20006

Date: May 1, 2001

Sir:

The undersigned respectfully request a refund of the fee paid in the subject application on February 26, 2001.

The fee of Seven Hundred Ten Dollars (\$710.00) paid on February 26, 2001 is that for a Request for Continued Examination that was not accepted by the Patent and Trademark Office.

Repln. Ref: 06/05/2001 GDUCKETT 09027777
DAH:012300 Name/Number:09027777
FC: 704 \$710.00 CR
requested that the fee paid in the amount of Seven Hundred Ten Dollars, be credited to Deposit Account 01-2300.

Respectfully submitted,
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

Robert K. Carpenter

Robert K. Carpenter
Registration No. 34,794

Adjustment date: 06/05/2001 GDUCKETT
03/01/2001 GTEFFERR 00000024 09027777
01 FC:179 -710.00 OP

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W.,
Suite 600
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

RKC:tdd



Fee Collection




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179	R	710.00	1	F	710.00		710.00	B

TOTAL : \$710.00 \$710.00

Balance Owed:

Excess Payment Balance:

06/05/2001 GDUCKETT 24

Stevens, Margaret

To: LIE 1644
Subject: Serial No. 09/027,777

Refund \$710.00 code 179. Fee paid twice. Please return a copy of the RAM screen to me after completion,

Thanks

Margaret W. Stevens
Supervisory Legal Instrument Examiner
TC1600/2900
703-305-3608



United States Commissioner for Patents
Patent and Trademark Office

RECEIVED
Washington, D.C. 20531
www.uspto.gov

09/027777
APPLICATION NUMBER

FILING DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

MAY 03 2001

TECH CENTER 1600/2900

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MAY 30 2001

OFFICE OF PATENTIONS

RECEIVED

MAY 31 2001

DATE MAILED:

TECH CENTER 1600/2900

NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)



The request for continued examination (RCE) under 37 CFR 1.114 filed on 2/26/01 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- ☒ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on _____. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☒ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the ~~final~~ Office action or notice of allowance continues to run from the mailing date of that action or notice.

A copy of this notice MUST be returned with any reply.

Direct the reply and any questions about this notice to:

David Smallwood, Examining Group 1640
(703) 306-4085